

**Subject: November 12, 2004 Meeting Minutes**

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A meeting of the Perchlorate Community Advisory Group was held at the San Martin Lions Club, 12415 Murphy Avenue, San Martin, on November 12, 2004 at 2 pm.

1. **Pledge:** The Chair, Ms. Sylvia Hamilton, led the Pledge.

2. **Administrative Items:**

- a. Introductions
- b. Additional Agenda Items
  - i. Assemblyman Laird will speak before presentations (Topic III).
- c. September 23 Meeting Minutes approved as written
- d. If anyone is interesting in obtaining a list of repositories, please contact Sylvia Hamilton.

3. **Assemblyman John Laird**

- a. Mr. Laird informed PCAG about his ongoing commitment to a conservative public health goal. He mentioned that the State plans to propose a 6 ppb drinking water standard and open the public comment period before the end of the year. He stressed the importance of public comments and involvement in such matters because it can make a difference. He commended the City of Morgan Hill for their policy to not deliver water with perchlorate concentrations above 4 ppb.
- b. As chair of the state environmental committee, Assemblyman Laird is extremely involved with PCAG and the contamination issue surrounding them. In the upcoming weeks, he will be appointed as chair of the state budget committee. He emphasized that despite his new position he will continue to work closely with PCAG.

Q: An audience member asked if the state has changed the public health goal to 6 ppb?

A: Assemblyman Laird replied that the State Board has not changed the action level yet but they intend to change it to 6 ppb. Before that happens, there is a comment stage from the public. During this stage, public comments are gathered and taken into consideration.

Ms. Hamilton clarified that the Action Level and Public Health Goal are currently 6 ppb. The new action that the State is taking is to establish a drinking water standard.

Ms. Tracy Hemmeter commented that the National Academy of Sciences will soon release their study on the effects of perchlorate. The decision on whether to change the action level or public health goal can be affected by that report.

4. **2005 Perchlorate Community Advisory Group Meeting Dates**

- a. Ms. Hamilton wants comments as to which week days committee members would prefer for PCAG meetings in the year 2005. Her personal preference is Friday afternoons at 2pm. Please email comments as soon as possible.

5. **Presentations – Northeast Flow Assessment Report Comments**

- a. The City of Morgan Hill (Ed Tewes)
  - i. Morgan Hill has 13 wells. Perchlorate has been detected in four wells north/northeast of the site and in the Tennant Well across the street from the site.

- ii. Morgan Hill has two options in dealing with their contaminated wells. The wells can be taken offline or they can be treated for perchlorate contamination. If the wells are treated then someone needs to take responsibility for the expenses. Olin will be asked to take responsibility.
- iii. City wells north of Tennant Avenue affected by perchlorate: Nordstrom, Condit, Dunne, and San Pedro
- iv. The City of Morgan Hill would like the Regional Board to require Olin to do extensive testing to prove the source of perchlorate contamination in the North wells
  - (1) Olin denies that water flows from South to North, indicating that it is impossible wells north of the site can be contaminated with the same perchlorate.
  - (2) Mr. Tewes prepared several maps created by Olin's consultant, MACTEC, that clearly show that data indicates perchlorate has moved from South to North in the past.

Q: If the data regarding Northeast flow is flawed then is it also possible that Olin's data regarding Southeast flow is flawed as well?

A: Is it possible for water to go a different direction during certain seasons.

Sylvia: Emphasized that PCAG was established to deal with Perchlorate in not only San Martin but also Morgan Hill and Gilroy. Containment and cleanup is most important.

- b. Regional Board Comments (Eric Gobler)
  - i. Concerned about data and how it is presented in the Northeast Flow Assessment Report
  - ii. Update
    - (1) The Northeast Assessment report was received September and the RB is currently gathering comments from city and other various agencies, which will allow them to make a final decision. PCAG is encouraged to give additional comments and suggestions.
    - (2) The Regional Boards review of the Report should be completed by the first week of December.

Q: If forensic testing were to occur who would fund that?

A: Olin would responsible for funding any testing.

- c. Santa Clara Valley Water District (SCVWD) Comments (Tracy Hemmeter)
  - i. The report showed many uncertainties in the data. Tom Mohr who also works for the SCVWD wrote a 10 page response to the Northeast Flow Assessment report that can be accessed through the SCVWD website. The report issued by Olin analyzes data from 1989 to 2001 but it is also important to take into consideration the flow activity before 1989. The model could be set up in different ways that are technically valid and could produce a different result. The information in the report was not sufficient, therefore more data needs to be collected and analyzed

Ms Hamilton: Suggested writing a proposal to the Regional Board asking for more data.

## 6. Regional Water Quality Control Board Update

- a. Offsite Monitoring

- i. The Regional Board met with both Olin and the Santa Clara Valley Water District to discuss how to proceed regarding off site monitoring. There was significant progress with Olin because they are changing their position on issues acknowledging the need for off site monitoring.
- b. Ex Situ Soil Remediation
  - i. Ex-situ soil remediation has been going on for a couple of months. A large amount of soil has been removed and is being treated. Based on the new samples collected from the extracted soil, the perchlorate concentrations are higher than the initial tests indicated. There will be more sampling next week to determine if 50 ppb has been achieved.
- c. Groundwater Remediation: During the month of September, about 28 billion gallons of water were extracted and treated. *3rd Quarter Report*
- d. Cleanup and Abatement Order (CAO): The order was issued in but was appealed by Olin to the State Water Board. Olin also requested that they not be required to comply with the order during the appeal process, but the request was denied. As of today, Olin has been compiling with the report.

Ms Hamilton: Olin is having trouble getting the community to grant them property access. The access agreements are designed to give Olin access to residential property so that wells can be tested. If anyone has suggestions of how to make community comfortable send to Sylvia. Ms. Hamilton stressed the importance of cooperating with Olin and signing the access agreements. If community members feel that Olin does not give accurate information then they should contact Sylvia Hamilton or the Regional Board. There have been no problems thus far with the legitimacy of the data presented.

- e. Olin has planned to hook up ion exchange systems but need access agreements first. Also, they are facing challenges with designing and installing the systems.

Ms. Hemmeter encouraged PCAG to write a letter about ion exchange to Department of Health Services regarding the need for ion exchange certification.

## 7. Additional Topics

- a. Perchlorate Working Group Update (Tracy Hemmeter): Last met on November 5, to discuss the future of perchlorate and how to accelerate the pace of work. Furthermore, the current dialogue with Olin is very positive and efforts should be made to see that it continues. The SCVWD also plans to go to their Board with an update on perchlorate.
- b. Groundwater Guardian (Tracy Hemmeter): PCAG has been recognized as a Groundwater Guardian Community for their efforts to educate the public about perchlorate. The SCVWD will present the plaque to PCAG in January along with a reception and photo opportunity.
- c. PCAG Bylaws (Sylvia Hamilton): Ms. Hamilton asked for permission to edit the PCAG bylaws. They should be revised so that stakeholders are clearer as to their roles and positions within PCAG. Permission was unanimously granted by the members of the committee.

Meeting was adjourned.

Minutes submitted by Zohra Karimi